

31.03.2026
Item No.28
Court No. 30
Piya

CO 4313 of 2025

Smt. Munmun Kanshabanik

-vs-

Sri Suman Dey

Mr. Debanik Banerjee

Mr. Huzaifa Shahid

Mr. Dipnil Banerjee

... for the Petitioner

1. Affidavit of service filed be kept with the record.
2. The revisional application has been preferred by the wife/petitioner praying for transfer of Matrimonial Suit no. 716 of 2024 from the Court of the learned District & Session Judge, Howrah to the Court of the learned District Judge, Darjeeling/Additional District Judge, Siliguri.
3. In spite of service, the husband/opposite party is not represented.
4. On hearing the learned counsel for the petitioner and on perusal of the materials on record, it appears that the Matrimonial Suit has been filed in Howrah Court, by the husband/opposite party herein.

5. The petitioner/wife herein resides at Siliguri, Darjeeling.
6. Considering the said difficulty of the petitioner/wife to travel to Howrah Court, on regular basis, this Court relying upon the judgments of the Hon'ble Supreme Court in ***N.C.V. Aishwarya vs A.S. Saravana Karthik Sha, in Civil Appeal No(s). 4894 of 2022 (arising out of SLP (C) No(s). 16465 of 2021), decided on July 18, 2022, (Para 11, 12)***, directs that Matrimonial Suit No. 716 of 2024 be withdrawn from the Court of learned District & Session Judge, Howrah and be transferred to the Court of learned Additional District Judge, Siliguri.
7. Learned Additional District Judge, Siliguri shall proceed with the suit in accordance with law with due notice upon both the parties.
8. Keeping in mind the case of the opposite party herein, the learned Additional District Judge shall be at liberty to permit the opposite party to **appear virtually**, if such prayer is made.
9. **CO 4313 of 2025 is disposed of.**
10. Parties to act on the server copy of this order.

- 11.** Let a copy of this order be sent to the concerned Courts for immediate compliance.

(Shampa Dutt (Paul), J.)